REMARKS

I. Amendments

The foregoing amendments to the specification correct typographical errors and do not add new matter to the specification. The amendment at page 31 corrects an inconsistency in references to sequence identification numbers. The preceding and subsequent paragraph describe SEQ ID NO: 6, and therefore it is clear that the paragraph beginning at line 22 should only refer to SEQ ID NO: 6. The paragraph at page 43 adds a reference to SEQ ID NO: 73 in order to put the specification in better compliance with the sequence rules set out in 37 CFR § 1.821-1.825.

Claims 2, 5 and 12-15 are canceled without prejudice because these claims are directed to unelected inventions and not for any reason related to patentability. Applicants reserve the right to pursue claims of same or similar subject matter in continuing applications.

II. Election and Traverse

In response to the restriction requirement set forth in the Office Action mailed June 26, 2006, Applicants hereby elect claims 1, 3-4 and 19 (Group I) for examination in the above-identified application.

Applicants traverse the restriction of claim Groups I and VIII. The Examiner stated that the claims in Groups I and VIII are different inventions because the claims are directed to different structures capable of different biological activity and biological function (see page 2 of the Action). The restriction appears to be based on a perception that Group VIII requires a valine substitution. However, SEQ ID NO: 4, referred to in claim 1 (Group I), has a valine at position 130 (see page 6 of the Sequence Listing), while claims 16-18 (Group VII) are directed to a human aspartyl proteases containing a valine which corresponds to position to 130 of SEQ ID NO: 4. Therefore, the basis for restriction is improper and should be withdrawn.

Applicants also traverse the restriction of claim Groups I and V. The claims of Group V are directed to a method for identifying an agent that decreases the protease activity of an aspartyl protease polypeptide using a polypeptide of Group I. If the polypeptides of Group I (product claims) are found novel and non-obvious under 35 U.S.C. §103(a), Applicants may be entitled to rejoinder of claims to methods of using that product.

See 1184 OG 86, (1996). Applicants hereby request that, if the product claims of Group I are allowed, the Patent Office rejoin the method claims of Group V.

To facilitate efficient examination, Applicants request that the claims of Group I, Group V, and Group VIII be examined simultaneously and the restriction requirement with respect to Groups I and VIII and Groups I and V be withdrawn.

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Respectfully submitted,

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